



Attorney Docket No.: PATENT  
FINIS-00100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

John Mix

Serial No.: 10/632,464

Filed: August 1, 2003

For: **ELECTRONIC PACE  
REGULATING, TIMING, AND  
COACHING DEVICE AND  
SYSTEM**

) Group Art Unit: 2632

) Examiner: Not Yet Assigned

) **INFORMATION DISCLOSURE**  
) **STATEMENT**

) 162 N. Wolfe Road  
) Sunnyvale, CA 94086  
) (408) 530-9700

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The citations listed below, copies attached, may be material to the examination of the above-identified application, and are therefore submitted in compliance with the duty of disclosure defined in 37 C.F.R. §§ 1.56 and 1.97. The Examiner is requested to make these citations of official record in this application.

Applicants have become aware of the following printed publication which may be material to the examination of this application:

- U.S. Patent No. 5,921,590;
- "The Aquapacer", Pacific Swim Coaches Clinic 2001, 6 pages;
- "Aquapacer™", [www.aquapacer.com](http://www.aquapacer.com), 1 page;
- "Seagull Continues to Set the Pace", Seagull Inc., Published in Swimming world, Dec. 1977, 1 page;
- "The New International Tempo Timer", Published in Swimming World, Jan. 1976, 1 page; and
- "Tempo Trainer- Your Personal Pace Coach", [www.tempotrainer.com](http://www.tempotrainer.com), Finish Inc., 2 pages.

This Information Disclosure Statement under 37 C.F.R. §§ 1.56 and 1.97 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that anyone or more of these citations constitutes prior art.

Respectfully submitted,  
HAVERSTOCK & OWENS LLP

Dated: 1/20/2004

By: 

James A. Gavney (Agent)  
Reg. No.: 45,687

Attorneys for Applicant

**CERTIFICATE OF MAILING (37 CFR § 1.8(a))**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

- 2 -

HAVERSTOCK & OWENS LLP.

Date: 1-20-04 By: 

FORM PTO-1449 (Modified)		U.S. Department of Commerce Patent and Trademark Office		Attorney Docket No.: FINIS-00100		Serial No.: 10/632,464	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <small>(Use Several Sheets If Necessary)</small>				Applicant: John Mix			
(37 CFR § 1.98(b))				Filing Date: July 31, 2003		Group Art Unit: Not Yet Assigned	

  

U.S. PATENT DOCUMENTS							
Examiner Initials	Serial / Patent Number	Issue Date	Applicant / Patentee	Class	Subclass	Filing Date	
	AA	5,921,890	Miley	482	3	05/16/96	
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						

  

FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS								
Examiner Initials	Document Number	Publication Date	Country / Patent Office	Class	Subclass	Translation		
						Yes	No	
	AK							
	AL							
	AM							
	AN							
	AO							

  

OTHER DOCUMENTS (Including Author, Title, Date, Relevant Pages, Place of Publication)	
AP	"The Aquapacer", Pacific Swim Coaches Clinic 2001, 6 pages.
AQ	"Aquapacer™", <a href="http://www.aquapacer.com">www.aquapacer.com</a> , 1 page.
AR	"Seagull Continues to Set the Pace", Seagull Inc., Published in Swimming world, Dec. 1977, 1 page.
AS	"The New International Tempo Timer", Published in Swimming World, Jan. 1976, 1 page.
AT	"Tempo Trainer- Your Personal Pace Coach", <a href="http://www.tempotrainer.com">www.tempotrainer.com</a> , Finish Inc., 2 pages.
AU	
AV	
AW	
AX	
AY	
AZ	

  

Examiner:	Date Considered:
<b>EXAMINER:</b> Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	